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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA
(Hon. Barry Ted Moskowitz)

UNITED STATES OF AMERICA	CASE NO. 08CR0440-BTM
Plaintiff,	**JOINT MOTION TO CONTINUE MOTIONS HEARING**
vs.	
PETER CARLO MERTENS, et al.,	
Defendants.	**Date: September 19, 2008** **Time: 2:00 p.m.**

COMES NOW the plaintiff, United States of America, by and through its counsel, Karen P. Hewitt, United States Attorney, and Sherri W. Hobson, Assistant United States Attorney, and defendants William Hamman, through his counsel Frank J. Ragen; Peter Carlo Mertens, through his counsel, Patrick Q. Hall; Wayne Joseph Fernandes, through his counsel, Dorn G. Bishop; and Bettina Thakore, through her counsel, Lisa J. Damiani, and hereby jointly request the Court continue the Motions Hearing previously scheduled for September 19, 2008, at 2:00 p.m. to December 19, 2008, at 2:00 p.m.

This continuance is requested in order for defense counsel to receive the following discovery. The government has agreed to provide (if not already provided):

(1) the tape recorded meeting at Chili's involving Mahon, Hausotter, and Mertens;

(2) taped and/or written statements by Mahon and Hausotter;

(3) taped statements by defendants other than Fernandes;

(4) holding cell taped statements of Mertens, Fernandes, and possibly other defendants; and

(5) the first session of Hamman's grand jury testimony (which was apparently interrupted).

Counsel need this time to adequately review the above discovery and write the pre-trial motions.

Respectfully submitted,

Dated: September 11, 2008

s/Frank J. Ragen
FRANK J. RAGEN
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WILLIAM HAMMAN
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Dated: September 11, 2008

s/Patrick Q. Hall
PATRICK Q. HALL
Attorney for Defendant
PETER CARLO MERTENS
Email: hall@scmv.com

Dated: September 11, 2008

s/Dorn G. Bishop
DORN G. BISHOP
Attorney for Defendant
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Dated: September 11, 2008

s/Lisa J. Damiani
LISA J. DAMIANI
Attorney for Defendant
BETTINA THAKORE
Email: LJDamiani@damianilawgroup.com

Dated: September 11, 2008

s/Sherri W. Hobson
SHERRI W. HOBSON
Assistant United States Attorney
Attorney for Plaintiff
UNITED STATES OF AMERICA
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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA
(Hon. Barry Ted Moskowitz)

UNITED STATES OF AMERICA Plaintiff, vs. PETER CARLO MERTENS, et al., Defendants.	CASE NO. 08CR0440-BTM **CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED THAT:

I, LALANYA HAM, am a citizen of the United States and am at least eighteen years of age. My business address is 105 West F Street, Ste. 215, San Diego, California, 92101.

I am not a party to the above-entitled action. I hereby certify that I have caused to be served **JOINT MOTION TO CONTINUE MOTIONS HEARING** to the following ECF participants on this case:

Dorn G Bishop
dorn@dornbishoplaw.com,kstarrj@yahoo.com

Lisa J Damiani
ljdamiani@damianilawgroup.com,Comp1@damianilawgroup.com

Patrick Q Hall
hall@scmv.com,flores@scmv.com

Sherri Walker Hobson
Sherri.Hobson@usdoj.gov,melissa.d.johnson@usdoj.gov,efile.dkt.nes@usdoj.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 11, 2008.

Lalanya Ham
LALANYA HAM